

Document No. 3559
Voted at Meeting of 11/23/77

BOARD OF APPEAL REFERRALS

NOVEMBER 23, 1977

1. Z-4009 John R. Kelley
613 East Third and 56-56A L Streets, South Boston
2. Z-4010 Frank Plotner
1200 Hyde Park Avenue, Hyde Park
3. Z-4011 Ellie Bacon
32 Moultrie Street, Dorchester
4. Z-4018-4019 Louis M., Louis V., and Emma A. Galante
1841-1843 River Street, Hyde Park
5. Z-4021-4022 Jane M. Harrington
39-41 Pleasant Street, Charlestown
6. Z-4023 The Claridge Company
101 Mount Vernon Street, Boston
7. Z-4024-4025 Robinwood Trust and Robert Malloy
55 Robinwood Avenue and 36 Burrage Street,
Jamaica Plain
8. Z-4027-4028 Guiseppe, Maria, Salvatore, and Pasqualino Cerro
189-191 Fairmount Avenue, Hyde Park
9. Z-4041-4042 Pierce Realty Co., Inc.
133-141 Brookline Avenue, Boston
10. Z-4052 Elvira Viera
415 Bremen Street, East Boston

MEMORANDUM

November 23, 1977

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert F. Walsh, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Z-4009
John R. Kelley
613 East Third and 56-56A L Streets, South Boston

Hearing: 12/20/77

Three-story frame structure.

District(s):	apartment <u>H-1-50</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single-family <u> </u>		manufacturing <u> </u>

Purpose: to legalize occupancy - two apartments and restaurant.

Violation(s):

Section

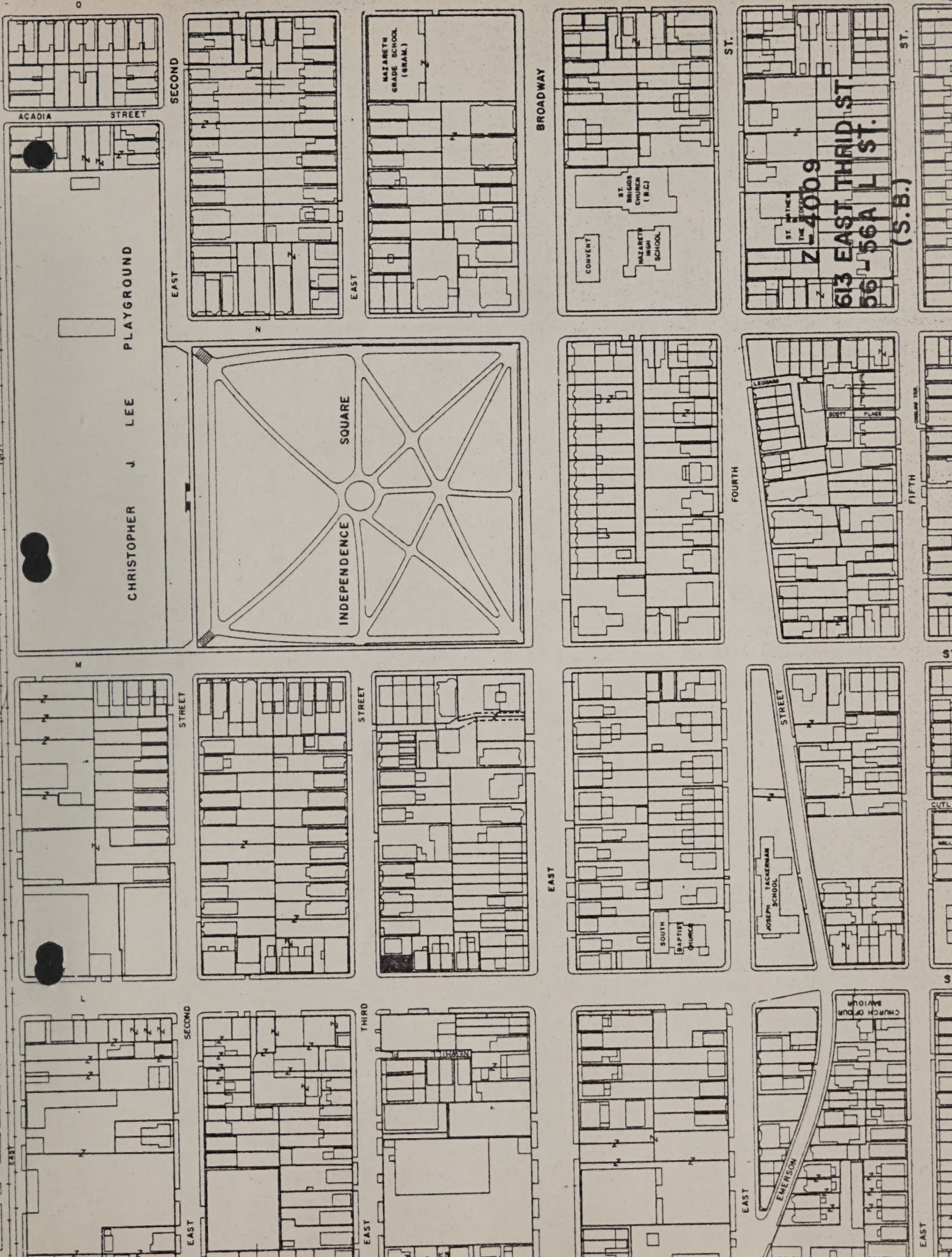
Required

Proposed

8-7. A restaurant is forbidden in an H-1-50 district.

Use, which has existed for many years, is consistent with residential—local business nature of the area. No neighborhood opposition.
Recommend approval.

VOTED: In reference to Petition No. Z-4009, brought by John R. Kelley, 613 East Third and 56-56A L Streets, South Boston, for a forbidden use to legalize occupancy for two apartments and a restaurant in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval. Use, which has existed for many years, is consistent with residential—local business nature of the area. No neighborhood opposition.



ACADIA STREET

CHRISTOPHER J. LEE PLAYGROUND

SECOND

EAST

INDEPENDENCE SQUARE

INDEPENDENCE SQUARE

EAST

NAZARETH GRADE SCHOOL (BRAM.)

BROADWAY

CONVENT
ST. BRIGIDS CHURCH (N.C.)
NAZARETH HIGH SCHOOL

ST.

ST. ANTHONY'S CHURCH
THE BROTHERS
Z 4009
613 EAST THIRD ST.
56 L 56A L ST.
(S.B.)

ST.

STREET

EAST

STREET

EAST

STREET

EAST

SOUTH BAPTIST CHURCH

FOURTH

JOSEPH TALCOTT SCHOOL

FIFTH

STREET

EAST

STREET

EAST

STREET

EAST

STREET

EAST

EMERSON CHURCH OF OUR SAVIOUR

EAST

Board of Appeal Referrals 11/23/77

Z-4010
 Frank Plotner
 1200 Hyde Park Avenue, Hyde Park
 at Clay Street

Hearing: 12/13/77

Service station.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-.5</u>	waterfront_____
	single-family_____		manufacturing_____

Purpose: to use premises for outdoor display and sale of used cars.

Violation(s):

Section

Required

Proposed

8-7. Outdoor sale or display for sale of motor vehicles is forbidden in an L-.5 district.

Proposed use would be consistent with former auto service facility and other related uses in the surrounding area. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-4010, brought by Frank Plotner, 1200 Hyde Park Avenue, Hyde Park, for a forbidden use to use premises for outdoor display and sale of used cars in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that all cars be stored within the lot; that sign plans be submitted to the Authority for design review.

Z-4010
1200 HYDE PARK AVE.
(H. P.)



Board of Appeal Referrals 11/23/77

Z-4011
Ellie Bacon
32 Moultrie Street, Dorchester
near Washington Street

Hearing: 12/13/77

2½-story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single-family_____		manufacturing_____

Purpose: to erect stairway addition to nursing home.

Violation(s):
Section

<u>Required</u>	<u>Proposed</u>
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- 9-1. The reconstruction, extension or structural change of a nonconforming use requires Board of Appeal hearing.

Stairway addition and other alterations are necessary for compliance with State Department of Health regulations. Structure has been used as a nursing home for many years. Recommend approval.

VOTED: In reference to Petition No. Z-4011, brought by Ellie Bacon, 32 Moultrie Street, Dorchester, for a change in a nonconforming use to erect a stairway addition to a nursing home in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Addition and alterations are necessary and beneficial.



COOMAN
SQUARE

TAL
E

LITGOW

JO

S

CENRE

SECOND
CHURCH
IN
DORCHESTER

STREET

J.L. CROWN
PLAYGROUND

32 MOULTRE ST
(DOR)

M.B.T.A. (COVERED UNDERGROUND)

MAINWRIGHT
STREET

MELBOURNE

SANSET

ROSS

KENWOOD

SEABORN

STREET

STREET

LYNDHURST

STREET

STREET

SHARP

STREET

STREET

CLEMENTINE

REININGTON

MELVILLE

MAIN

DAYTON

NIXON

WASHINGTON

COURT
HOUSE

ALLSTON

AV

STREET

STREET

STREET

OPER

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ST

ST

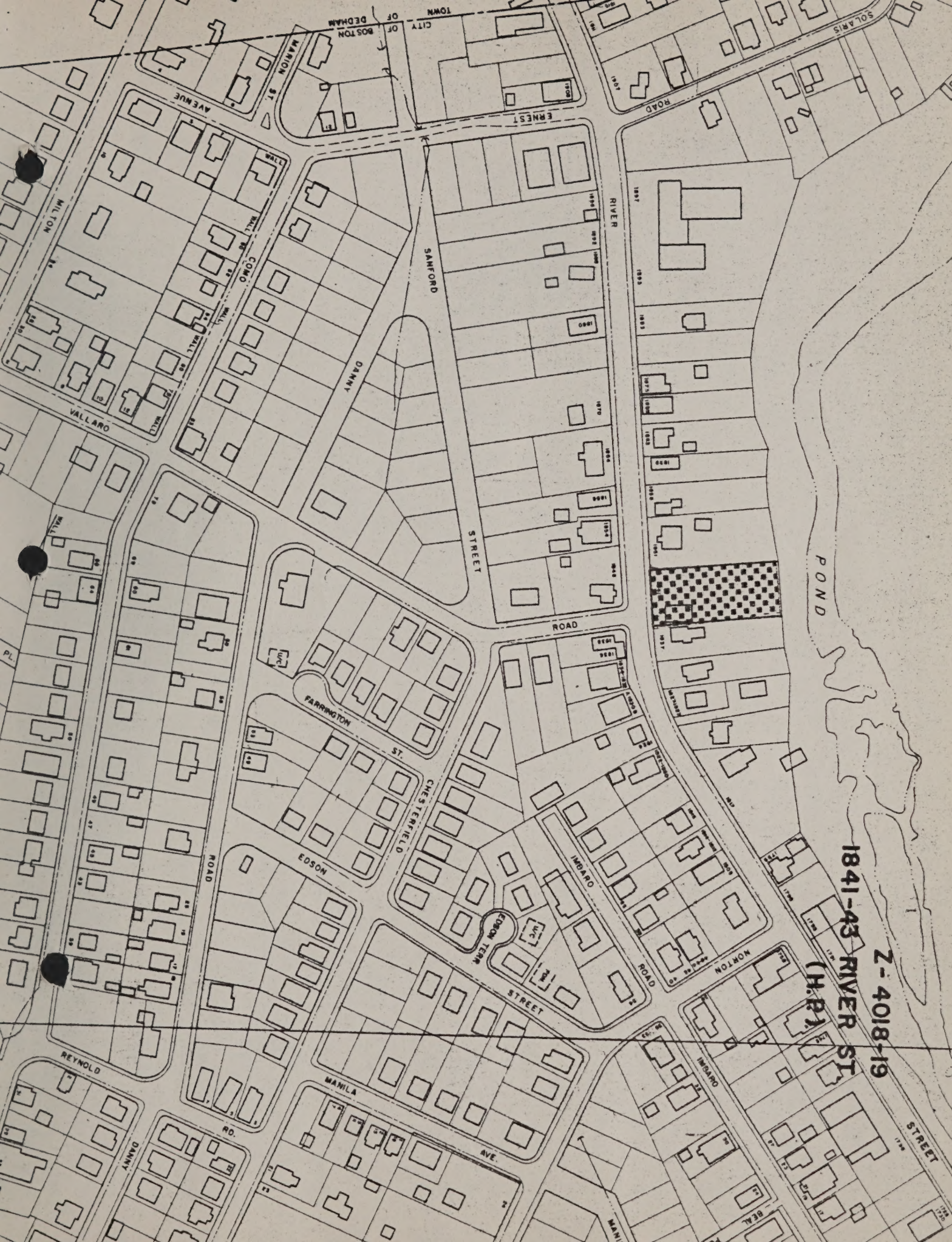
TREMLET

ST

ST

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ST



Z-4018-19

1841-43 RIVER ST

(H.B.)

Board of Appeal Referrals 11/23/77

Z-4021-4022
 Jane M. Harrington
 39-41 Pleasant Street, Charlestown
 near High Street

Hearing: 12/20/77

Three-story frame duplex structure.

District(s): apartment H-1 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single-family _____ manufacturing _____

Purpose: to subdivide lot; to legalize occupancy - three-family dwelling (#39).

Violation(s):
Section

	<u>Required</u>	<u>Proposed</u>
14-1. Lot area is insufficient.	5,000 sf	2,036 sf 2,315 sf
14-3. Lot width is insufficient.	50 ft.	30 ft. 32 ft.
14-4. Street frontage is insufficient.	50 ft.	30 ft. 32 ft.

Proposal would allow the sale of #39 as separate parcel by owner-occupant of legal three-family dwelling (#41). Violations are existing and technical. No opposition. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-4021-4022, brought by Jane M. Harrington, 39-41 Pleasant Street, in the Charlestown Urban Renewal Area, for six variances to subdivide lot and to legalize occupancy for three-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided that there be no further increase in occupancy. Abutters are amenable to three-family dwelling.



Z-4021-22
39-41 PLEASANT ST.
(CHSN)

151 V-3
29.52

Board of Appeal Referrals 11/23/77

Z-4023

Hearing: 12/13/77

The Claridge Company
 101 Mount Vernon Street, Boston
 near West Cedar Street

Four-story structure.

District(s):	apartment <u>H-2-65</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single-family <u> </u>		manufacturing <u> </u>

Purpose: to change occupancy from lodging house to five apartments.

Violation(s):

SectionRequiredProposed

17-1. Open space is insufficient.

150 ft.

0

Conversion will enhance residential character of Beacon Hill. Abutters
 and community support proposal. Recommend approval.

VOTED: In reference to Petition No. Z-4023, brought by
 The Claridge Company, 101 Mount Vernon Street,
 Boston, for a variance for a change of occupancy
 from lodging house to five apartments in an apart-
 ment (H-2-65) district, the Boston Redevelopment
 Authority recommends approval. Conversion will
 enhance the residential character of Beacon Hill.
 Abutters and community support proposal.



Z-4023

101 MT VERNON ST.

(B.P.)

This vote amended by addition of the following:

This action is contingent upon an agreement which provides that the Harvard Community Health Plan, Inc., make a payment to the City of Boston in lieu of taxes in an amount equal to the present tax payment being made by the owner of the real estate, said tax payment to be adjusted proportionately to the change in the Boston tax rate.

Board of Appeal Referrals 11/23/77

Z-4024-4025
Robinwood Trust and Robert Malloy
55 Robinwood Avenue and
36 Burrage Street, Jamaica Plain

Hearing: 12/6/77

Glenside Hospital complex.

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single-family_____		manufacturing_____

Purpose: to erect two hospital structures - two and three stories.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Hospitals are forbidden in an R-.5 district.		
14-2. Lot area is insufficient.	199,000 sf	155,407 sf
16-1. Height of building is excessive.	2 stories	3 stories
23-3. Off-street parking is insufficient.	121 spaces	68 spaces

Proposal consists of demolition of a three-story frame structure and construction of two hospital buildings containing 52 and 80 beds respectively. Community and hospital are amenable to provisos as indicated in vote proposed below. Recommend approval with provisos.

VOTED: In reference to Petitions Nos. Z-4024-4025, brought by Robinwood Trust and Robert Malloy, 55 Robinwood Avenue and 36 Burrage Street, Jamaica Plain, for two forbidden uses and five variances to erect two hospital structures in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that existing foliage be retained in so far as possible and additional landscaping be provided where necessary; that the main entrance to 55 Robinwood Avenue be moved so as to face in a south-westerly direction; that the proposed buildings be designed to blend with the residential character of the neighborhood; that the Robinwood Avenue parking lot be redesigned and landscaped; that dumpsters and trash receptacles be adequately screened from residential properties; that there be no construction on lots abutting Parley Avenue and that the Hospital provide effective maintenance in this area; that the Hospital not purchase or lease additional property in the neighborhood; that the Hospital not renew lease or occupy the building at 71 Robinwood Avenue at expiration of current lease and recommend to owners that it be returned to residential occupancy; that there be no increase in licensed bed capacity (132); that no outpatient services be provided; that the increase in staff created by this proposal be limited to a maximum of ten employees; that plans be submitted to the Authority for design review.



Z-4024-25
55 ROBINWOOD AVE.
3 BURRAGE ST.
(N.P.)

MARY F. CURLEY
SCHOOL

Board of Appeal Referrals 11/23/77

Z-4027-4028
Guiseppe, Maria, Salvatore, and Pasqualino Cerro
189-191 Fairmount Avenue, Hyde Park
near Truman Highway

Hearing: 12/13/77

2½-story frame structure (three-family dwelling).

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single-family S-.5 manufacturing _____

Purpose: to subdivide lot; to erect two-family dwelling.

Violation(s):

Section

Required

Proposed

8-7. A two-family dwelling is forbidden in an S-.5 district.		
14-2. Lot area is insufficient.	14,000 sf	11,250 sf
14-4. Access to rear lot is insufficient.	20 ft.	15 ft.
18-1. Front yard is insufficient.	30 ft.	25 ft.
20-1. Rear yard is insufficient.	50 ft.	43 ft.

Proposed structure would be constructed behind existing three-family dwelling. Inadequate access would seriously hinder fire and safety apparatus. Additional nonconformity is unwarranted and detrimental to this low-density residential neighborhood. Recommend denial.

VOTED: In reference to Petition No. Z-4027-4028, brought by Guiseppe, Maria, Salvatore, and Pasqualino Cerro, 189-191 Fairmount Avenue, Hyde Park, for a forbidden use and five variances to subdivide lot and to erect a two-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Additional nonconforming dwelling is unwarranted and detrimental to this low-density residential neighborhood. Inadequate access would seriously hinder fire and safety apparatus.



Z-4027-28
189-191 FAIRMOUNT AVE.
(H.P.)

Board of Appeal Referrals 11/23/77

Z-4041-4042
Pierce Realty Co., Inc.
133-141 Brookline Avenue, Boston
at Burlington Avenue

Hearing: 12/13/77

Six-story structure and three-story structure.

District(s):	apartment_____	general business <u>B-2</u>	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing <u>M-2</u>

Purpose: to change occupancy from warehouse, offices, and stores to clinic, offices, garage, and retail store; to erect two-way auto ramp and seven-story elevator shaft.

Violation(s):
Section

Required

Proposed

8-7. Accessory off-street parking facilities are conditional in a restricted parking district.

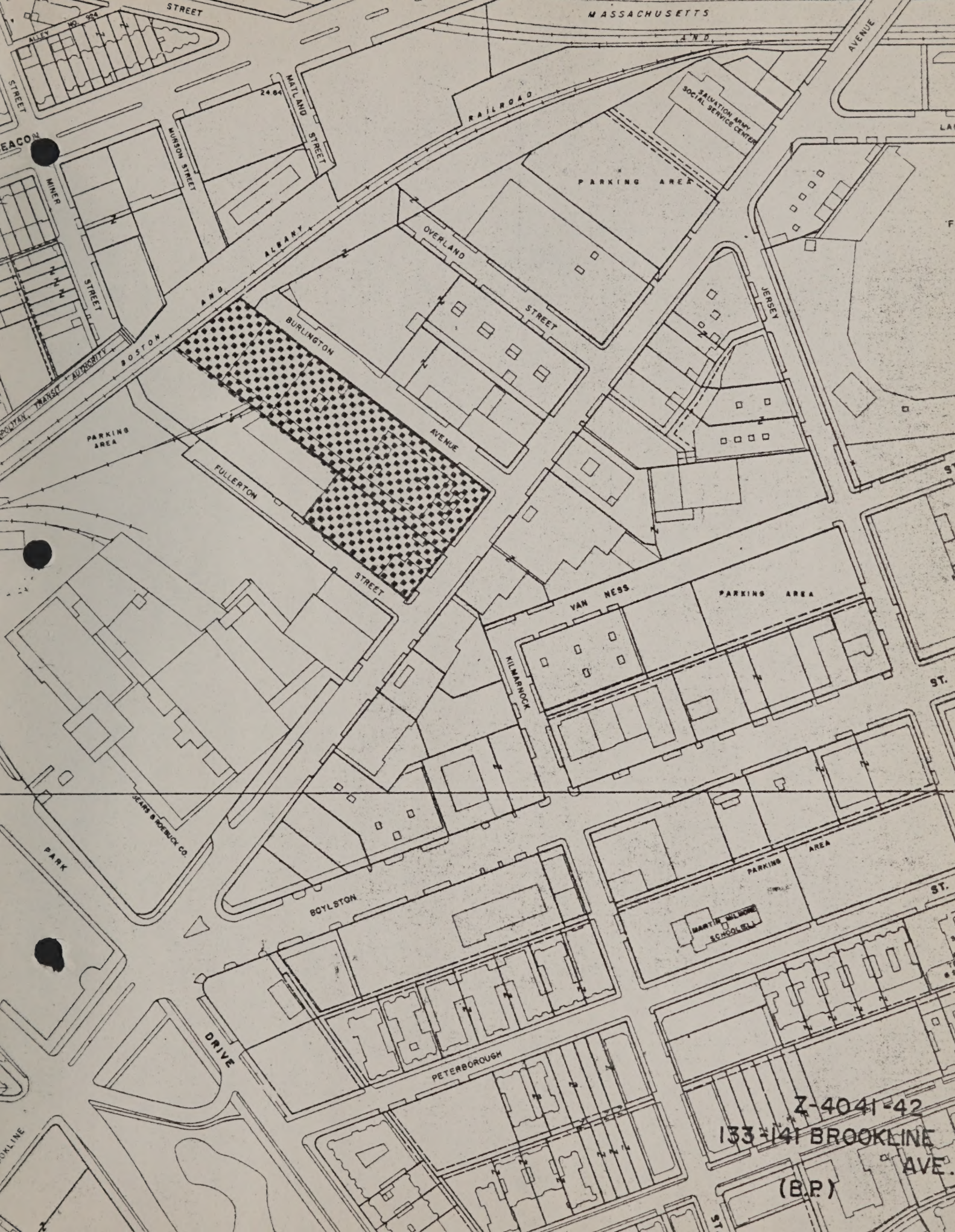
20-1. Rear yard is insufficient.

12 ft.

1 ft.

Former S.S.Pierce buildings, now mostly vacant, would be renovated by Harvard Community Health Plan, Inc., for use as a health center and its administrative offices. Adequate off-street parking (227 spaces) would be provided for staff and patients. To encourage use of public transportation, HCHP will resurface, light, landscape, and maintain walkway from Fenway MBTA station to rear of property. HCHP has agreed to payment in lieu of taxes. Recommend approval with proviso.

VOTED: In reference to Petitions Nos. Z-4041-4042, brought by Pierce Realty Co., Inc., 133-141 Brookline Avenue, Boston, for a conditional use and a variance for a change of occupancy from warehouse, offices, and stores to clinic, offices, garage, and retail store and to erect two-way auto ramp and seven-story elevator shaft in general business (B-2) and manufacturing (M-2) districts, the Boston Redevelopment Authority recommends approval provided plans inclusive of landscaping are submitted to the Authority for design review.



Z-4041-42
133-141 BROOKLINE
AVE.
(B.P.)

Board of Appeal Referrals 11/23/77

Z-4052
Elvira Viera
415 Bremen Street, East Boston
at Bennington Street

Hearing: 12/20/77

One-story masonry structure.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing <u>M-1</u>

Purpose: to change occupancy from cement storage to storage and retail store; to erect one-story addition.

Violation(s):

Section

Required

Proposed

20-1. Rear yard is insufficient.

20 ft.

5 ft.

Addition to existing builders' supply retail store would be used for storage. Rear yard abuts Penn Central right of way and rear yard deficiency would have minimal impact. Recommend approval.

VOTED: In reference to Petition No. Z-4052, brought by Elvira Viera, 415 Bremen Street, East Boston, for a change of occupancy from cement storage to storage and retail store and to erect a one-story addition in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval. Rear yard abuts Penn Central right of way and rear yard deficiency would have minimal impact.



DAY
SQUARE

ALBANY
RAILROAD

BOSTON &
ALBANY
RAILROAD

TRANSIT
AUTHORITY

C-1

EAST
BOSTON
EXPRESSWAY

Z-4052

415 BREMEN ST.

(E.B.)